

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

MICHELLE HARRIS,
Plaintiff,

v.

Case No. 4:20-cv-00767-SRB

NATIONAL CREDIT ADJUSTERS, LLC,
Defendant.

**PLAINTIFF'S MOTION TO SHOW CAUSE
OPPOSING PROPOSED SANCTIONS**

Plaintiff, by counsel, files this Motion showing cause why this Court should not impose sanctions as indicated in its Order of April 1, 2021.

Summary of Plaintiff's Argument

Neither Michelle Harris nor her attorneys should have sanctions imposed against them. Ms. Harris should not be sanctioned because, while she has not responded to her lawyers' attempts to contact her regarding the scheduled mediation (or for any other purpose), she has been under what appears to be extreme duress arising from her landlord's continuing attempts to evict her from her home—in short, she likely has bigger problems than this case.

Her lawyers should not be sanctioned because we made numerous attempts, by phone, mail, email, and text, to contact her in an attempt to both find out how she is doing and discuss the mediation and the case in general with her.

Nature of Plaintiff's Attorney Representation

Credit Repair Lawyers of America (CRLA) is a law firm based in Michigan that represents consumers throughout the United States in credit reporting and debt collection issues. The undersigned counsel has acted as their local counsel for consumers living in Missouri since August 2018. CRLA has an office staff of three attorneys, several paralegals, and a receptionist, an infrastructure that local counsel lacks, and appreciates.

**Communications between Plaintiff and Her Attorneys
Regarding the Mediation**

In order to avoid potential conflicting messages, CRLA and local counsel have a policy that CRLA will contact clients for matters that can be handled by paralegals or staff, and local counsel will communicate with clients on any matters constituting the practice of law or when otherwise deemed necessary.

Consistent with that policy, starting on or about January 7, 2021, CRLA's receptionist and one of its paralegals tried to communicate with Ms. Harris by phone, email, text, and letter. Their declarations, attached as Exhibits A (Ms. Hartmann, the receptionist) and B (Mr. Lopez, the paralegal) to this Response, detail the dates and media used for those attempts, and affirm that Ms. Harris responded to none of them. The CRLA's lead attorney in this case, Carl Schwartz, also prepared a declaration regarding the efforts of his firm to contact Ms. Harris; it is attached as Exhibit C.

Local counsel called her phone number on March 22, March 25, and March 29, 2021, each time leaving a message on the voicemail for that number when nobody answered. Nothing in the prerecorded instruction to leave a message identified the number as Ms. Harris' number. No one returned those calls.

Local counsel sent Ms. Harris two emails on March 23 and one on April 2. He also attached letters to the emails, which letters were also sent to her by certified mail, return receipt requested. She did not respond to any of these communications.

Given the lack of any response to those attempts to reach her, on March 30 of this year, Local counsel decided to drive from his home office in Columbia to her home in Kansas City in order to try and ascertain her situation from whoever answered the door.

Plaintiff's Ongoing Eviction from Her House

Before local counsel left to go to Kansas City on March 30, 2021, he checked Ms. Harris' name and address for any current cases reported on Missouri case.net. He found an open "rent and possession" case filed against her on December 2, 2020. He reviewed the docket entries, which looked at first like an ordinary eviction brought for nonpayment of rent, but two aspects were remarkable. First, the case had already been continued three times, with no explanation shown in the record. That issue was resolved by the landlord's amended petition, which alleged that Ms. Harris (or some other tenant) had previously provided the landlord with a CDC tenant declaration.³ The docket sheet and the amended petition are attached as Exhibits D and E.

The second issue was set out in the process server's handwritten note on the return of service. The return of service in question is attached to this response as Exhibit F. Simply, the private process server described a person he or she encountered while serving the summons who had a "pistol which she fired."⁴ That information made local counsel decide not to go to her house until he knew the residents would be expecting his visit and would know he posed no threat to them.

² It has since been continued for a fourth time; the explanation is found in the amended petition. Also, footnote 1 was removed.

³ A CDC declaration is a form created by the Centers for Disease Control to temporarily halt evictions to prevent further spread of COVID-19.

⁴ As the return shows, the process server described the woman in some detail. However, since none of us have met Ms. Harris in person, we have no idea whether or not she was that person.

Why this Court Should Not Impose Sanctions

Paragraph X of the General Order regarding the Mediation and Assessment Program of this District states:

If a party or counsel fails to make a good faith effort to participate in the Program in accordance with the provisions and spirit of this Order, the assigned Judge or Court may impose appropriate sanctions.

To Plaintiff's knowledge, no other Local Rule or General Order of this Court authorizes imposition of sanctions for a party's failure to participate in mediation. Accordingly, the Court's authority to impose such sanctions rests on its inherent power to do so. Inherent powers such as this one "...must be exercised with restraint and discretion. A primary aspect of that discretion is the ability to fashion an appropriate sanction for conduct which abuses the judicial process."

Chambers v. NASCO, Inc., 501 U.S. 32, 43 (1991); *see also Schlafly v. Eagle Forum*, 970 F.3d 924, 936-37 (8th Cir. 2020).

"Bad faith" requires "dishonesty of belief, purpose, or motive." *Black's Law Dictionary* (11th ed.) p. 171. Had Ms. Harris evidenced a bad-faith refusal *to participate in the mediation*, sanctions would be entirely justified. However, from what we know, there is no evidence of that bad faith. To the contrary, there is evidence strongly suggesting that she lives under the threat of losing her home. Any monetary sanction against her would heap more distress on what we can assume is already a stressful situation.

There is also no evidence of bad faith by her lawyers. To the contrary, they and their staff have made numerous attempts to contact her, each time asking her to respond, which she has never done.

For this reason, we ask the Court to exercise restraint and discretion and not impose sanctions on Plaintiff or her counsel.

What to Do at This Juncture?

Without knowing of Ms. Harris' whereabouts, welfare, or how to contact her to find out about those matters as well as what she wants to do with this case, her counsel's choices are limited. Before the Court entered its show cause order, counsel had considered a withdrawal of representation to be the best of their imperfect options. One of those options was to enter a dismissal without prejudice on Ms. Harris' behalf, but concluded that it could not be done ethically without Ms. Harris' consent.

The case itself, of course, cannot remain in indefinite limbo; Defendant deserves a resolution to the case, Ms. Harris deserves a chance to present her case should she still want to do so, and the Court deserves having one less unresolved case on its docket. We truly regret not having the chance to resolve the case through mediation but without Ms. Harris' consent and participation, it could not occur.

However, given that her counsel have already made a number of fruitless attempts to contact her, they will probably ask to be released from representing her if a last attempt at contacting her fails.

Conclusion

Because neither Plaintiff nor her lawyers have shown any bad faith in this or any other aspect of the case, she asks that the Court not impose sanctions on them.

Respectfully submitted,

/s/ Richard M. Maseles
Richard M. Maseles
Missouri Bar # 58243
110 Crestmere Ave.
Columbia, MO 65203
richard@richardmaseles.com
Attorneys for Plaintiff,
Michelle Harris
Telephone: (573) 356-5148
Fax # (573) 340-1167

April 29, 2021

Of Counsel to:
Credit Repair Lawyers of America
22142 West Nine Mile Road
Southfield, MI 48033
Telephone: (248) 353-2882
Facsimile: (248) 353-4840

Proof of Service

I, Richard Maseles, hereby state that on April 29, 2021, I served a copy of the within pleading upon all counsel as their address appear of record, via e-mail.

/s/ Richard M. Maseles

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

Michelle Harris,

Plaintiff,

vs.

National Credit Adjusters, LLC,

Defendant.

Case No.: 4:20-cv-00767-SRB

**DECLARATION OF HEATHER
HARTMANN**

I, Heather Hartmann, hereby declare under the penalties for perjury under the laws of the United States of America that the following is true and correct:

1. I have knowledge of the following facts and can testify to the following facts.
2. I am a receptionist employed by Credit Repair Lawyers of America (“CRLA”),

which is a law firm located in Southfield, Michigan.

3. I attempted to contact Ms. Harris on the following occasions regarding the above-captioned case:

- a. January 7, 2021 – sent email to Ms. Harris
- b. January 11, 2021 – sent email to Ms. Harris
- c. February 15, 2021 – sent email to Ms. Harris
- d. February 22, 2021 – called Ms. Harris and left a voice mail message
- e. February 22, 2021 – sent email to Ms. Harris
- f. March 18, 2021 – called Ms. Harris and left a voice mail message
- g. March 18, 2021 – sent email to Ms. Harris
- h. March 30, 2021 – sent email to Ms. Harris

**Exhibit A to Response to Show
Cause Order**

4. Ms. Harris did not respond to any of the emails that I sent to her or any of the voice mail messages that I left for her.

I AFFIRM UNDER THE PENALTIES FOR PERJURY THAT THE FOREGOING REPRESENTATIONS ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Dated: April 27, 2021

/s/ Heather Hartmann

Heather Hartmann

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

Michelle Harris,

Plaintiff,

vs.

National Credit Adjusters, LLC,

Defendant.

Case No.: 4:20-cv-00767-SRB

DECLARATION OF JAIME LOPEZ

I, Jaime Lopez, hereby declare under the penalties for perjury under the laws of the United States of America that the following is true and correct:

1. I have knowledge of the following facts and can testify to the following facts.
2. I am a paralegal employed by Credit Repair Lawyers of America (“CRLA”), which is a law firm located in Southfield, Michigan.
3. I attempted to contact Ms. Harris on the following occasions regarding the above-captioned case:
 - a. March 18, 2021 – sent email and text message to Ms. Harris
 - b. March 19, 2021 – sent email and text message to Ms. Harris
 - c. March 22, 2021 – sent email and text message to Ms. Harris, left a voice mail message for Ms. Harris
 - d. March 23, 2021 – sent email and text message to Ms. Harris, left a voice mail message for Ms. Harris
 - e. March 24, 2021 – sent email and text message to Ms. Harris, left a voice mail message for Ms. Harris

**Exhibit B to Response to Show
Cause Order**

- f. March 25, 2021 – sent email and text message to Ms. Harris, left a voice mail message for Ms. Harris
- g. March 26, 2021 – sent email and text message to Ms. Harris, left a voice mail message for Ms. Harris
- h. March 29, 2021 – sent email and text message to Ms. Harris, left a voice mail message for Ms. Harris
- i. March 30, 2021 – sent email and text message to Ms. Harris, left a voice mail message for Ms. Harris
- j. March 31, 2021 – sent email and text message to Ms. Harris, left a voice mail message for Ms. Harris
- k. April 1, 2021 – sent email and text message to Ms. Harris, left a voice mail message for Ms. Harris
- l. April 2, 2021 – sent email and text message to Ms. Harris, left a voice mail message for Ms. Harris

4. Ms. Harris did not respond to any of the emails or text messages that I sent to her or any of the voice mail messages that I left for her.

I AFFIRM UNDER THE PENALTIES FOR PERJURY THAT THE FOREGOING REPRESENTATIONS ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Dated: April 27, 2021

/s/ Jaime Lopez
Jaime Lopez

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

Michelle Harris,

Case No.: 4:20-cv-00767-SRB

Plaintiff,

DECLARATION OF CARL SCHWARTZ

vs.

National Credit Adjusters, LLC,

Defendant.

I, Carl Schwartz, hereby declare under the penalties for perjury under the laws of the United States of America that the following is true and correct:

1. I have knowledge of the following facts and can testify to the following facts.
2. I am an associate attorney employed by Credit Repair Lawyers of America (“CRLA”), which is a law firm located in Southfield, Michigan.
3. Plaintiff retained CRLA to represent her regarding her claims in the above-captioned action.
4. CRLA retained Richard Maseles to prosecute Plaintiff’s claims in this Court.
5. CRLA and Mr. Maseles have communicated with each other throughout the course of the above-captioned action.
6. During the pendency of this action, CRLA has performed administrative and paralegal tasks on behalf of Plaintiff, including reaching out to Plaintiff to obtain her availability for the mediation.
7. Members of CRLA, including Heather Hartmann and Jaime Lopez, have attempted to contact Plaintiff on numerous occasions in recent months, without any response from Plaintiff.

**Exhibit C to Response to
Show Cause Order**

8. CRLA does not know why Plaintiff has not responded to its attempts to reach Plaintiff or whether Plaintiff wishes to continue pursuing the above-captioned action.

I AFFIRM UNDER THE PENALTIES FOR PERJURY THAT THE FOREGOING REPRESENTATIONS ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Dated: April 27, 2021

/s/ Carl Schwartz

Carl Schwartz

USPS Tracking®

[FAQs >](#)[Track Another Package +](#)**Tracking Number:** 70201810000224294901[Remove X](#)

Your item was delivered to an individual at the address at 10:06 am on March 25, 2021 in KANSAS CITY, MO 64127.

Delivered

March 25, 2021 at 10:06 am
Delivered, Left with Individual
KANSAS CITY, MO 64127

[Get Updates ▾](#)[Feedback](#)

Text & Email Updates

Tracking History

March 25, 2021, 10:06 am

Delivered, Left with Individual
KANSAS CITY, MO 64127

Your item was delivered to an individual at the address at 10:06 am on March 25, 2021 in KANSAS CITY, MO 64127.

March 24, 2021, 10:11 pm

Departed USPS Regional Facility
KANSAS CITY MO DISTRIBUTION CENTER

Exhibit D to Response to Show Cause Order

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March 24, 2021, 12:20 pm
Arrived at USPS Regional Facility
KANSAS CITY MO DISTRIBUTION CENTER

March 23, 2021, 10:52 pm
Arrived at USPS Regional Origin Facility
COLUMBIA MO DISTRIBUTION CENTER

March 23, 2021, 1:49 pm
Departed Post Office
COLUMBIA, MO 65201

March 23, 2021, 12:42 pm
USPS in possession of item
COLUMBIA, MO 65201

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USPS Tracking®

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Your item was delivered to an individual at the address at 11:18 am on April 10, 2021 in KANSAS CITY, MO 64127.

Delivered, Left with Individual

April 10, 2021 at 11:18 am
KANSAS CITY, MO 64127

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April 10, 2021, 11:18 am

Delivered, Left with Individual
KANSAS CITY, MO 64127

Your item was delivered to an individual at the address at 11:18 am on April 10, 2021 in KANSAS CITY, MO 64127.

April 10, 2021, 12:32 am

Departed USPS Regional Facility
KANSAS CITY MO DISTRIBUTION CENTER

**Exhibit E to Response to
Show Cause Order**

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<https://tools.usps.com/go/TrackConfirmAction?tRef=fullpage&tLc=2&text28777=&tLabels=70201290000223787185%2C&tABt=false>

April 9, 2021, 10:20 am

Arrived at USPS Regional Facility
KANSAS CITY MO DISTRIBUTION CENTER

April 9, 2021, 12:13 am

Arrived at USPS Regional Origin Facility
COLUMBIA MO DISTRIBUTION CENTER

April 8, 2021, 1:27 pm

Departed Post Office
COLUMBIA, MO 65201

April 8, 2021, 12:59 pm

USPS in possession of item
COLUMBIA, MO 65201

Product Information



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FAQs

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
ASSOCIATE CIRCUIT DIVISION

Robert Paterson
Plaintiff

Cause No. 2016-CV24596
Division 32

v.

Michelle Harris, Mario Harris
and John Doe-Jane Doe
Defendant

**AMENDED PETITION FOR UNLAWFUL DETAINER AND IN THE ALTERNATIVE, FOR RENT AND
POSSESSION**

COUNT I: UNLAWFUL DETAINER

Comes now Plaintiff and for the above Unlawful Detainer cause of action against Defendant states:

1. Plaintiff is the owner of the property at 2400 Cleveland Ave, Kansas City, MO 64127.
2. Defendant is a tenant of the property at 2400 Cleveland Ave, Kansas City, MO 64127.
3. Defendant originally had permission from Plaintiff to occupy the premises described above at 2400 Cleveland Ave, Kansas City, MO 64127, pursuant to a lease agreement with Plaintiff which has now expired as of November 30, 2020, for rent of \$700.00, with the rent day the first day of the month.
4. On October 17, 2020, Plaintiff delivered to Defendants a letter notifying Defendants of a termination of the month to month tenancy as of the end of November, 2020. Defendants have caused considerable damage and neglect to the property prior to the filing and in the interim and do not appear to be physically living at the premises. In fact, utilities have been shut off. Yet, Defendants threaten the Plaintiff with abusive language when the Plaintiff attempts to inquire into taking back possession or attempts to check for possession. Photos have been attached to this filing as Exhibit 1 showing the current neglect of the property.
5. Defendant willfully and unlawfully attempts to continue to hold possession of the premises.
6. Plaintiff is entitled to double damages on rent.
7. Defendant has failed and refused to pay rent and other lease charges to Plaintiff although Plaintiff has made demand for payment, all to Plaintiff's damage in the amount of \$12,600.00 and Defendant remains in possession of the premises.
8. Defendant did provide the Plaintiff with a CDC tenant declaration when this case was originally filed.

WHEREFORE, Plaintiff prays judgment against Defendant for possession of the premises, rent and other lease charges in the amount of \$12,600.00, rent and other lease charges to accrue from this date until the date of the Judgment, plus double damages on rent, reasonable attorney fees incurred, service fees and costs.

COUNT II: RENT AND POSSESSION

Comes now Plaintiff and for the above cause of action against Defendant states:

1. Plaintiff is the owner/managing entity of the property at 2400 Cleveland Ave, Kansas City, MO 64127.
2. Defendant is a resident of the subject property in Jackson County and to Plaintiff's knowledge, is not a member of the United States Armed Forces.

Exhibit F to Response to

Case 4:20-cv-00767-SPB Document 10 Filed 04/29/21 Page 17 of 22

Show Cause Order

3. Defendant occupied the premises, for rent of \$700.00 per month, with rent day the first day of the month.

4. Defendant has failed and refused to pay rent and other lease charges to Plaintiff although Plaintiff has made demand for payment, all to Plaintiff's damage in the amount of \$12,600.00 and Defendant remains in possession of the premises.

WHEREFORE, Plaintiff prays judgment against Defendant for accrued rent and other lease charges in the amount of \$12,600.00, for continuing rent other lease charges until restitution of the premises, for possession of the premises, for reasonable attorney fees incurred, for court costs, for special process server fees, and for such other and further relief as to this Court seems just and proper

11

KALPESH J PATEL
MISSOURI BAR #56538
114 S. Main St, Ste 104
Independence, Missouri 64050
Telephone (816) 833-7060
Fax (816) 278-9435
Electronic Mail patellawfirm@yahoo.com
ATTORNEY FOR PLAINTIFF

STATE OF MISSOURI)
COUNTY OF JACKSON)
) SS.

KALPESH J PATEL, Attorney for Plaintiff, makes oath and states that to the best of his knowledge and belief the facts and allegations contained in the above Petition are just and true.

HS

KALPESH J PATEL

Subscribed and sworn to before me this 23rd day of April, 2021.

August 18, 2023

My Commission Expires:

Chaitalilaben Babulal Patel
NOTARY PUBLIC

CHAITALIBAHEN BABULAL PATEL
Notary Public, Notary Seal
State of Missouri
Jackson County
Commission#. 15837464
My Commission Expires 08-18-2023

NOTICE TO DEFENDANTS:

This is an attempt to collect a debt, and any information obtained will be used for that purpose.

Because of the global COVID-19 pandemic, you may be eligible for temporary protection from eviction under the laws of your State, territory, locality, or tribal government.

area, or under Federal law. Learn the steps you should take now:

Visit www.cfrb.gov/exaction Or call a housing counselor at 800-569-4287



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2016-CV24596 - ROBERT PATERSON V MICHELLE HARRIS ET AL (E-CASE)

[Click here to eFile on Case](#)[Click here to Respond to Selected Documents](#)Sort Date Entries:

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Display Options:

04/23/2021 [Exhibit Filed](#)

Exhibit 1.

Filed By: KALPESH J PATEL**On Behalf Of:** ROBERT PATERSON [Notice of Service](#)

Certificate of Mailing.

Filed By: KALPESH J PATEL [Amended Motion/Petition Filed](#)

Petition.

Filed By: KALPESH J PATEL04/12/2021 [Hearing Scheduled](#)**Scheduled For:** 07/19/2021; 1:30 PM ; KYNDRA J STOCKDALE; Jackson - Independence [Hearing Continued/Rescheduled](#)**Hearing Continued From:** 04/12/2021; 1:30 PM Hearing03/01/2021 [Hearing Scheduled](#)**Associated Entries:** 04/12/2021 - Hearing Continued/Rescheduled**Scheduled For:** 04/12/2021; 1:30 PM ; KYNDRA J STOCKDALE; Jackson - Independence [Hearing Continued/Rescheduled](#)**Hearing Continued From:** 03/01/2021; 1:30 PM Hearing01/25/2021 [Hearing Scheduled](#)**Associated Entries:** 03/01/2021 - Hearing Continued/Rescheduled**Scheduled For:** 03/01/2021; 1:30 PM ; KYNDRA J STOCKDALE; Jackson - Independence [Hearing Continued/Rescheduled](#)**Hearing Continued From:** 01/25/2021; 1:30 PM Hearing12/21/2020 [Hearing Scheduled](#)**Associated Entries:** 01/25/2021 - Hearing Continued/Rescheduled**Scheduled For:** 01/25/2021; 1:30 PM ; KYNDRA J STOCKDALE; Jackson - Independence [Hearing Continued/Rescheduled](#)**Hearing Continued From:** 12/21/2020; 1:30 PM Hearing12/08/2020 [Posted - Residence](#)

Document ID - 20-SMLT-9143; Served To - HARRIS, MICHELLE; Server - ; Served Date - 06-DEC-20; Served Time - 12:14:00; Service Type - Special Process Server; Reason Description - Posted

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Exhibit G to Response to Show Cause Order

- Family Member/Roommate Served**
Document ID - 20-SMLT-9143; Served To - HARRIS, MICHELLE; Server - ; Served Date - 06-DEC-20; Served Time - 12:14:00; Service Type - Special Process Server; Reason Description - Served
- Posted - Residence**
Document ID - 20-SMLT-9144; Served To - HARRIS, MARIO; Server - ; Served Date - 06-DEC-20; Served Time - 12:14:00; Service Type - Special Process Server; Reason Description - Posted
- Family Member/Roommate Served**
Document ID - 20-SMLT-9144; Served To - HARRIS, MARIO; Server - ; Served Date - 06-DEC-20; Served Time - 12:14:00; Service Type - Special Process Server; Reason Description - Served
- Posted - Residence**
Document ID - 20-SMLT-9145; Served To - JANE DOE, JOHN DOE-; Server - ; Served Date - 06-DEC-20; Served Time - 12:14:00; Service Type - Special Process Server; Reason Description - Posted
- Summons Personally Served**
Document ID - 20-SMLT-9145; Served To - JANE DOE, JOHN DOE-; Server - ; Served Date - 06-DEC-20; Served Time - 12:14:00; Service Type - Special Process Server; Reason Description - Served
- Notice of Service**
servers return, per service, post and mail, 12-6.
Filed By: KALPESH J PATEL
On Behalf Of: ROBERT PATERSON
- Notice of Service**
servers return, per service, post and mail, 12-6.
Filed By: KALPESH J PATEL
- Notice of Service**
servers return, per service, post and mail, 12-6.
Filed By: KALPESH J PATEL

12/03/2020

- Summons Issued-Landlord/Tenant**
Document ID: 20-SMLT-9145, for JANE DOE, JOHN DOE-.
- Summons Issued-Landlord/Tenant**
Document ID: 20-SMLT-9144, for HARRIS, MARIO.
- Summons Issued-Landlord/Tenant**
Document ID: 20-SMLT-9143, for HARRIS, MICHELLE.
- Order to Post Summons**
- Order - Special Process Server**
- Hearing Scheduled**
Associated Entries: 12/21/2020 - Hearing Continued/Rescheduled
Scheduled For: 12/21/2020; 1:30 PM ; KYNDRA J STOCKDALE; Jackson - Independence
- Judge Assigned**

12/02/2020

- Filing Info Sheet eFiling**
Filed By: KALPESH J PATEL
- Motion Special Process Server**
Motion and Order for Special Process Server.
Filed By: KALPESH J PATEL
On Behalf Of: ROBERT PATERSON
- Motion to Post Summons**
Motion and Order to Post.

Filed By: KALPESH J PATEL

[Pet Filed in Associate Ct](#)

Petition.

Filed By: KALPESH J PATEL



IN THE 16TH JUDICIAL CIRCUIT COURT, JACKSON COUNTY, MISSOURI

Judge or Division: KYNDRA J STOCKDALE	Case Number: 2016-CV24596
Plaintiff/Petitioner: ROBERT PATERSON	Plaintiff's/Petitioner's Attorney/Address KALPESH J PATEL THE PATEL LAW FIRM LLC 114 S. MAIN STREET, STE 104 INDEPENDENCE, MO 64050
vs. Defendant/Respondent: MICHELLE HARRIS	Address of Property in Question: SERVE OR POST
Nature of Suit: AC Rent and Possession	Date, Time and Location of Court Appearance: 21-DEC-2020, 01:30 PM DIVISION 32 308 W Kansas INDEPENDENCE, MO 64050

(Date File Stamp)

Summons (Landlord - Tenant Actions)

The State of Missouri to: MICHELLE HARRIS 2400 CLEVELAND AVE KANSAS CITY, MO 64127	PRIVATE PROCESS SERVER <i>Jane Doe (R.M.)</i>
COURT SEAL OF JACKSON COUNTY	You are summoned to appear before this court on the date, time and location stated above, to answer the complaint of the Plaintiff/Petitioner, a copy of which is attached to this summons, and show cause why possession of the property should not be restored to the Plaintiff/Petitioner. If you fail to appear and answer at the time and place stated in this summons, judgment by default will be taken against you. If you have a disability requiring special assistance for your court appearance, please contact the court at least 48 hours in advance of the scheduled hearing.
	<u>03-DEC-2020</u> Date
	<i>John H. Dietz</i> Clerk

Further Information:

Sheriff's or Server's Return

Note to serving officer: Service must be at least four days before the court date on the summons.

I certify that I have served the above summons by: (check one)

delivering a copy of the summons and a copy of the complaint to the Defendant/Respondent.
 leaving a copy of the summons and a copy of the complaint at the dwelling place or usual abode of the Defendant/Respondent with *Jane Doe (co-oc)* a person of the Defendant's/Respondent's family over the age of 15 years who permanently resides with the Defendant/Respondent.
 (for service on a corporation) delivering a copy of the summons and a copy of the complaint to:

other *Post Mail* (name) _____ (title) _____

Served at *2400 Cleveland Ave* KC MO 64127 (address)
in *Jackson* (County/City of St. Louis), MO on *12/14/2020* (date) at *1214P* (time).

Defendant/Respondent cannot be found.

Defendant/Respondent has absconded or vacated his or her usual place of abode in this state.

B. H. Dietz

B. H. Dietz

Printed Name of Officer or Server

Signature of Officer or Server

Amber FLOWERS

Notary Public Notary Seal

State of Missouri

County of Jackson

My Commission Expires 1/22/2023

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on

My commission expires:

Date

Notary Public

12/14/2020 *10/22/23* *12/14/2020* *Amber Flowers*

Exhibit H to Response to Show Cause Order

Sheriff's Fees

Summons	\$ _____
Non Est	\$ _____
Sheriff's Deputy Salary	\$ _____
Supplemental Surcharge	\$ 10.00
Mileage	\$ _____ (_____ miles @ \$ _____ per mile)
Total	\$ _____

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

5'9" 190 lbs P/F 190LR. Mr. with pistol which she fired.